



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re application of: : Group No. 1754  
Vladimir Fridman, et al. :  
Serial No. 10/680,544 : Examiner: Cam N. Nguyen  
Filing Date: October 7, 2003 : Confirmation: 4997  
Attorney Docket No. P-1187 :  
For: CATALYST FOR DEHYDROGENATION :  
OF HYDROCARBONS :

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

This is a Preliminary Amendment filed as part of the Request for Continuing Examination which responds to the Office Action of the United States Patent and Trademark Office dated March 7, 2005.

06/08/2005 MAHME1 00000076 10680544

02 FC:1201

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### **Double Patenting**

The USPTO rejected a number of the claims of the application asserting obviousness-type double patenting based on copending application serial nos. 10/290,780 and 10/047,598. In making these double patenting rejections, the USPTO asserted that it would have been *prima facie obvious* to one of ordinary skill in the art to have not added a magnesium promoter into the instantly claimed catalyst to produce a less promoted catalyst. While the applicants disagree with this assertion of obviousness and specifically reserve the right to contest this position, to put the claims in condition for allowance, they are filing a new Terminal Disclaimer to overcome these two rejections. This new Terminal Disclaimer is also being filed in response to the objections to the previously filed Terminal Disclaimer. Accordingly, a properly executed Terminal Disclaimer is attached as Exhibit A.